



JC13 PCT/PCT 16 MAR 2001

J MARLOWE

PCT

#9

15 March, 2001

United States Dept of Commerce  
Patent & Trademark Office  
Assistant Secretary & Commissioner of Patents & Trademarks  
Washington DC 20231  
USA

Dear Sir or Madam:

**Re: US Patent Application No. 09011160 Filing Date: 01/20/1998**  
**Applicant: Harold HALL Assignee: John Jobey MARLOWE**

Enclosed, please find hard copies of documents already faxed to Ms Bessie Bowie of Customer Service Dept 1700.

Yours sincerely

J MARLOWE

RECEIVED  
APR - 2 2001

TC 1700 MAIL ROOM

3 DOMINIC ROAD • CHILDWALL • LIVERPOOL L16 1JY  
TEL: +44-151 735 1447 • HOME TEL +44 151 7223600 FAX: +44-151 735 1447  
E-MAIL: JOBEY@MAGNOM.COM



J MARLOWE

**FACSIMILE TRANSMITTAL SHEET**

TO:	FROM:
Ms Bessie Bowie (Customer Service Dept 1700)	John Jobey Marlowe
COMPANY:	DATE:
United States Patent Office	15/03/01
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
001 703 305 1086	2
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
001 703 306 5665	PCT/GB9601773/USA
RE:	YOUR REFERENCE NUMBER:
<b>Petition to Revive</b>	<b>US Patent Applcn No. 09011160</b>

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

Dear Ms Bowie

I write to express concern at the apparent lack of attention regarding the above application. It has been deemed unintentionally abandoned and despite numerous efforts this is still not resolved.

This started when a notification of change of address for service from ourselves to the USPTO, did not reach our file, despite being sent by recorded mail. As a consequence of this, official communication sent by the USPTO was not received by the Applicant. We presume that failure to respond to this communication led to the abandonment. We can only presume this, as, despite many requests, we still do not have a copy of this communication.

However, in the meantime, correspondence concerning the Assignment had been received by the Applicant, establishing that the USPTO was in possession of our address – giving the Applicant & Assignee no concern for the reliability of the communication route between themselves & the USPTO.

It was only after a general enquiry by the Assignee, myself, that it was discovered that the US Application had been abandoned. I then spoke to yourself to try & resolve the situation.

The problem worsened, because, we were informed by yourself, that despite repeated requests over a period of several weeks, you could not recover our file from the repository. As you will note from the information attached, we lodged a petition to revive and provided proof of postage of the original change of address. This was also sent by recorded mail and by fax, yet we are informed just yesterday, by Ms Marianne O'Campo (Examiner) that this paperwork has still not reached the file. Please note, that we are in possession of written acknowledgement of receipt, from your department, for the petition to revive and proof of postage of the change of address.

I trust you will appreciate why this matter us giving us cause for concern. It is imperative that this situation be addressed as soon as possible.

Many thanks

J Marlowe

PS I enclose a copy of the file history to date



US APPLICATION NO. 09/011160 Inventor: Harold Hall  
Assignee: John J Marlowe

## PATENT APPLICATION HISTORY

Jan 13 1998: Applicant submits National Phase filing in USA of PCT Application No PCT/GB9601773

July 24 1998: Applicant sends USPTO Fax & Letter from notifying change of address for service in USA

Oct 22 1998: Applicant receives USPTO Notification of Acceptance of Application – US Application No.09/011160  
Notice of insufficient fees – \$5.00 shortfall sent 21 Nov 1998.

Oct 26 1998: Applicant requests Examination of claims as originally filed

Nov 21 1998: Fax from USPO saying insufficient fees not due at time stated.

Dec 21 1998: Applicant submits application for assignment of US Applcn 09/011160 from Harold Hall (applicant) to John J Marlowe (Assignee)

Apr 13 1999: USPTO informs applicant cover sheet needed for recordation of Above Assignment

May 10 1999: Applicant submits recordation sheet for Assignment as requested

June 9 1999: USPTO informs Applicant that application now assigned to John J Marlowe

June 19 2000: J Marlowe telephones USPTO only to discover that application is deemed abandoned

June 20 2000: J Marlowe faxes & posts petition to revive US application, as recommended by Bessie Bowie, for attention of Bessie Bowie

July 17 2000: J Marlowe faxes Bessie Bowie asking for acknowledgement of fax & letter sent June 20 2000.

July 19 2000: USPTO Bessie Bowie faxes J Marlowe acknowledgement of receipt of petition to revive for non-intentional abandonment

July 27 2000: J Marlowe faxes change of address for service to from H ZHAO to J J MOSS (FAO Bessie Bowie USPTO)

Aug 24 2000: USPTO Bessie Bowie sends email to J Marlowe asking him to contact her regarding requirements for petition to revive.

Aug 29 2000: J Marlowe faxes USPTO Bessie Bowie authorisation to fax information regarding petition to revive

Sept 8 2000: J Marlowe faxes USPTO Bessie Bowie – still waiting for information concerning petition to revive

Sept 12 2000: USPTO Bessie Bowie faxes printed pages concerning petition procedure

Sep 19 2000: J Marlowe sends USPTO Bessie Bowie email requesting information on full requirements concerning petition to revive. Also mentions change of address for service. Also looking for copy of official communication from USPTO (the non-receipt of which) led to the abandonment of the application in the first place.

Sep 27 2000: J Marlowe faxes USPTO Bessie Bowie copy of above email

Oct 2 2000: J Marlowe sends USPTO (FAO Bessie Bowie) copy of proof of change of address of Mr Zhao (faxed & sent 24 July 1998) & copy of fax sent Sep 27 2000.

Mar 8 2001: J Marlowe telephones Customer Service Dept Grp 1700 requesting status report & query as to why no response to previous letters & faxes. Requested response ASAP.

Mar 12 2001: J Marlowe telephoned again as no response to last telephone call expressing concern lack of communication from that dept

Mar 13 2001: A Hall spoke to Marianne O'Campo who HAS the file. The last correspondence in there is that of the abandonment. No change of address for Mr Zhao, no note of petition to revive, no note of change of address to Mr J J Moss.  
She suggested we contact Customer Services for assistance.



J MARLOWE

---

FACSIMILE TRANSMITTAL SHEET

---

TO:	Ms Bessie Bowie (GROUP 1700)	FROM:	John Jobey Marlowe
COMPANY:	United States Patent Office	DATE:	27/07/00
FAX NUMBER:	001 703 305 1086	TOTAL NO. OF PAGES INCLUDING COVER:	2
PHONE NUMBER:	001 703 306 5665	SENDER'S REFERENCE NUMBER:	PCTGB9601773
RE:	Petition to Revive	YOUR REFERENCE NUMBER:	Patent No. 09011160

---

URGENT    FOR REVIEW    PLEASE COMMENT    PLEASE REPLY    PLEASE RECYCLE

---

NOTES/COMMENTS:

Dear Ms Bowie

**Re: Your recent fax & current change of correspondence**

Thank you for your fax of 19<sup>th</sup> July 2000 acknowledging receipt of our petition to "revive" the above application.

We wish to file another change of contact address in the USA, please. We have downloaded a form from the USPTO web site and completed it for inclusion with our file. If this is the right form or if we have made an error in completing it, please let us know.

If we do not hear from you in the next day or two, I will assume that the details for change of correspondence address are correct and shall send a hard copy of the enclosed.

Many thanks again for all your help. I look forward to hearing from you soon.

Yours sincerely

M A R L O W E

**FACSIMILE TRANSMITTAL SHEET**

TO: **Ms Bessie Bowie (Customer Service Dept 1700)** FROM: **John Jobey Marlowe**  
COMPANY: **United States Patent Office** DATE: **15/03/01**  
FAX NUMBER: **001 703 305 1086** TOTAL NO. OF PAGES INCLUDING COVER **2**  
PHONE NUMBER: **001 703 306 5665** SENDER'S REFERENCE NUMBER: **PCT/GB9601773/USA**  
REF: **Petition to Revive** YOUR REFERENCE NUMBER: **US Patent Appln No. 09011160**

URGENT    FOR REVIEW    PLEASE COMMENT    PLEASE REPLY    PLEASE RECYCLE

Dear Ms Bowie

I write to express concern at the apparent lack of attention regarding the above application. It has been deemed unintentionally abandoned and despite numerous efforts this is still not resolved.

This started when a notification of change of address for service from ourselves to the USPTO, did not reach our file, despite being sent by recorded mail. As a consequence of this, official communication sent by the USPTO was not received by the Applicant. We presume that failure to respond to this communication led to the abandonment. We can only presume this, as, despite many requests, we still do not have a copy of this communication.

However, in the meantime, correspondence concerning the Assignment had been received by the Applicant, establishing that the USPTO was in possession of our address - giving the Applicant & Assignee no concern for the reliability of the communication route between themselves & the USPTO.

It was only after a general enquiry by the Assignee, myself, that it was discovered that the US Application had been abandoned. I then spoke to yourself to try & resolve the situation.

The problem worsened, because, we were informed by yourself, that despite repeated requests over a period of several weeks, you could not recover our file from the repository. As you will note from the information attached, we lodged a petition to revive and provided proof of postage of the original change of address. This was also sent by recorded mail and by fax, yet we are informed just yesterday, by Ms Marianne O'Campo (Examiner) that this paperwork has still not reached the file. Please note, that we are in possession of written acknowledgement of receipt, from your department, for the petition to revive and proof of postage of the change of address.

I trust you will appreciate why this matter us giving us cause for concern. It is imperative that this situation be addressed as soon as possible.

Many thanks,

J. Marlowe

PS. I enclose a copy of the file history to date.